

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Phillip G. Scott,

Civil No. 09-762 (RHK/JJG)

Petitioner,

**ORDER**

v.

Warden Dwight Fondren,

Respondent.

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Before the Court are Petitioner's Objections to the October 22, 2009 Report and Recommendation of Magistrate Judge Jeanne J. Graham; Judge Graham has recommended the denial of the Petition for a Writ of Habeas Corpus.

The undersigned has reviewed de novo Judge Graham's recommended disposition, her Report and Recommendation and Petitioner's Objections thereto. Based on that review, and upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Petitioner's Objections (Doc Nos. 11 and 12) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 10) is **ADOPTED**; and
3. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.

Dated: November 17, 2009

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge